

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -September 5, 2017**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone, Thompson, Valle.

Also, Present: Matthew Hall, Manager
Laurie A. Barton Borough Clerk
Tara St. Angelo, Attorney

Mayor Higgins led everyone in the flag salute.

Mayor Higgins read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

CORRESPONDENCE

Motion made by Councilman Heinrich to receive and file the following correspondences, motion seconded by Jones, all were in favor:

NJ-DEP, Natural & Historic Resources, Historic Preservation

Re: First Methodist Episcopal Church entered in the NJ Register of Historic Places

Warren County Dept of Human Services

Re: County Bus Operations

State of New Jersey -DOT

Re: Transportation Alternative Program-Downtown Pedestrian Safety Improvement Project

Discussion

Manager Hall reiterated the conference call that occurred with the County Transportation regarding the shuttle busses and a citizen complaint.

Mayor Higgins suggested a proclamation for the Church being designated as historic.

MINUTES

Motion made by Noone and seconded by Heinrich to approve the meeting minutes of regular meetings; July 5, 2017, July 18, 2017, August 1, 2017 and August 15, 2017 and executive session July 5, 2017 and July 18, 2017 (Proof for content only)

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 7, Nays: 0

Abstain: Thompson (09/05/17 Meeting)

Motion carried.

COUNCIL APPEARANCE

John Monteverde, BID stated that the festival is coming up on the 23rd of September and has dropped off flyers for same. Mr. Monteverde mentioned that he is working closely with the Manager and DPW as well as the Police to ensure a safe and secure festival.

Mr. Monteverde added that a temporary “Welcome to Washington” sign will be installed, that will look like the real sign, the hand carved sign will be installed before the end of year. Discussions of the sign ensued regarding style, payment and estimated time of installation.

Motion made by Heinrich and seconded by Klimko to close the audience portion.

Ayes: 7 Nays: 0

Motion Carried.

REPORTS:

Motion was made by Heinrich, seconded by Jones to receive and file the following reports:

Court-Management and Financial Report
Veolia-July Wastewater Report
Managers Updated Progress Report
Fire/Code/Zoning Reports

Ayes: 7 Nays: 0

Motion Carried.

Discussion

Councilman Jones inquired about the GPS on Managers vehicle. Manager Hall explained the GPS is on and working in his vehicle.

Manager Hall discussed amendments he made to his report that was filed:

Green Acres/Open Space application was made to the County.

Waste Water RFI receives two responses.

Vacant and abandoned registration filing fees amount to \$ 19,000.00 in revenue thus so far.

Mid-Block update: every grate on Route 57 is being pulled up and weeded and landscape fabric being installed as a barrier for the weeds around the trees.

Manager Hall explained the contractor being difficult to coordinate with, suspects they took on more work than they planned for.

Solid Waste bids came in, received two bids.

Manager Hall explain the need for the resolution concerning the energy savings and to join the NJSIM which allows a 14% savings on electric bill.

The social media Facebook page is up and running which will be a great tool to provide information to the residents.

COMMITTEE REPORTS

Senior Advisory: Councilman Heinrich stated that the trip to Longwood Gardens flyer was mailed out with the tax bills which helped get the word out and have already receive 30 responses.

NEW BUSINESS

Motion made by Heinrich to approve on first reading Ordinance 2017-15, motion seconded by Noone. Public Hearing scheduled for October 3, 2017.

Discussion

Councilwoman Valle stated she was under the impression that the Borough will take ownership once its completed, in which she stated she didn't think it was completed yet.

Mayor Higgins responded that the Engineer went out with a punch list and the its acceptable. John Monteverde added that the stage is complete. Mayor Higgins asked Mr. Monteverde to have the Engineer look at the plans as they were approved and give the governing body something in writing of what has been approved and not.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Motion carried.

Ayes: 6, Nays: 1(Valle)

Motion Carried

ORDINANCE 2017-15

**ORDINANCE AUTHORIZING ACCEPTANCE OF TITLE TO THE POCKET PARK
AND MID-TOWN PARKING LOT OF THE WASHINGTON BUSINESS
IMPROVEMENT DISTRICT AND AMENDING A PORTION OF CHAPTER 3,
ARTICLE VIIIA AND CHAPTER 64, ARTICLE I OF THE CODE OF THE BOROUGH
OF WASHINGTON**

WHEREAS, the Washington Business Improvement District Management Corporation (the “**BID**”) is an independent district management corporation formed pursuant to Title 15A of the New Jersey statutes to provide administrative and other services within the District to benefit the businesses, employees, residents and consumers within Borough and to assist Borough in promoting economic growth and employment; and

WHEREAS, the **BID** is the owner of that certain parcel of land and improvements thereon located at 44 East Washington Avenue, in the Borough of Washington, Warren County, State of New Jersey, known and designated as Lots 2, 3.01, 23 & 24 in Block 24 on the Washington Borough Tax Map (hereinafter the “**Property**”); and

WHEREAS, the **Property** is located within the Washington Borough Business Improvement District (the “**District**”); and

WHEREAS, the **BID** acquired the **Property** and was designated as the redeveloper to construct a pocket park/plaza and parking lot upon the **Property** (the “**Park**”), pursuant to a Redevelopment Plan adopted on April 7, 2009, under the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, and

WHEREAS, the construction of the **Park** is a strategic part of the marketing action plan of the **BID** to revitalize the Downtown; and

WHEREAS, the **BID** and the Borough Council have successfully worked in a public/private partnership with the **BID** as the redevelopment agent for the Borough for multiple projects including the adjoining parking lot; and

WHEREAS, the parties wished to apply for a grant or grants from the Warren County Municipal and Charitable Conservancy Trust Fund (the “**Grant**”) to provide funding for the acquisition of public open space and construction of the **Park**; and

WHEREAS, municipal ownership of the **Property** is one of the prerequisites of the **Grant**; and

WHEREAS, the **Grant** could be authorized to be issued to the **BID** to acquire the **Property** on the condition that the Borough agreed to take title to the **Property** at a future date; and

WHEREAS, to facilitate the **Grant** and the acquisition of the **Property** and construction of the **Park** by the **BID**, the Borough applied for the **Grant** for the purpose of the **BID**’s acquisition of the **Property** and the Borough agreed to act as the pass-through entity and provide the **Grant** funds to the **BID** to purchase the **Property**; and

WHEREAS, the **BID** obtained the **Grant**, acquired the **Property**, and constructed the **Park** upon the **Property**; and

WHEREAS, the **BID** agreed that, upon completion of the **Park** it would convey title to the **Property** to the Borough, subject to the final approval of the Borough Manager, Attorney and

Engineer, of the terms and conditions set forth in the Pocket Park Acquisition, Use, Operations, Maintenance and Revenues Agreement, (hereinafter “Agreement”), concerning the use and operation of the Park and the revenues obtained relating thereto; and

WHEREAS, the Borough Manager, Attorney and Engineer have approved the terms and conditions set forth in the Agreement, concerning the use and operation of the Park and the revenues obtained relating thereto; and

WHEREAS, the BID has completed the Park, and now seeks to transfer title to the Property to the Borough.

NOW, THEREFORE, BE IT ORDAINED that the Borough of Washington hereby accepts, from the BID, title to the Property containing the improvements of a pocket park/plaza and a parking lot constructed by the BID thereon; and

BE IT FURTHER ORDAINED that the first sentence of subsection (A) (1) of Chapter 3, Article VIIIA, Section 3-55.4, “Powers and Duties of Recreation Commissioners”, be deleted in its entirety and replaced by the following: “To supervise and regulate all parks, playgrounds and recreational areas belonging to the Borough, except the Borough Pocket Park located on Block 24, Lot 24 of the Borough; and

BE IT FURTHER ORDAINED that Section 64-1 of Chapter 64, Article I, “Supervision by Board of Recreation Commissioners”, be deleted in its entirety and replaced by the following: “The Board of Recreation Commissioners shall have full control over all lands, playgrounds and recreation places acquired or leased in the name of the Borough of Washington except the Borough Pocket Park located on Block 24, Lot 24 of the Borough, and may adopt suitable rules, regulations and bylaws for the use thereof, and the conduct of all persons while on or using the same subject to the review and approval of the Mayor and Council.

BE IT FURTHER ORDAINED that the Mayor, Clerk of the Borough, Borough Treasurer, and any other proper official of the Borough be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Ordinance; and

BE IT ORDAINED that this Ordinance shall take effect immediately upon publication following final passage.

Motion made by Heinrich to approve on first reading Ordinance 2017-16, motion seconded by Jones. Public Hearing scheduled for October 3, 2017.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Motion carried.
Ayes: 7, Nays: 0
Motion Carried

ORDINANCE 2017-16
AN ORDINANCE AMENDING CHAPTER 85 VEHICLES AND TRAFFIC OF
THE CODE OF THE BOROUGH OF WASHINGTON

WHEREAS, the Mayor and Council believe it necessary to amend certain portions of Chapter 85 of the Code of the Borough of Washington; and,

WHEREAS, there is found to be a need to add and remove certain handicap parking spaces; and,

WHEREAS, there is a need to accommodate changes to various street parking designations; and,

WHEREAS, there are other needed changes to the rules for parking trailers and heavy trucks on Borough Streets; and,

BE IT RESOLVED, by the Council of the Borough of Washington that Chapter 85 Vehicles and Traffic be amended as follows,

Article 1: 85-2 – Definitions

Recreational Vehicle – A vehicle which is designed primarily to transport persons for recreational purposes instead of transportation purposes, or a vehicle that serves as a temporary dwelling. This may include a vehicle that is self-propelled towed or carried by another vehicle but shall not include camper caps that fit over and atop pickup trucks. This term shall include watercraft motor homes travel trailers all-terrain vehicles and snowmobiles. Transportation trailer – non self-propelled utility trailer used primarily for transportation purposes instead of recreational purposes. This may include landscaping trailers, boat trailers, or any other trailer requiring a NJ Motor Vehicle Commission registration plate, whether such plates are considered private or commercial.

Construction Vehicle Trailer – a vehicle which is primarily used for commercial or residential construction, which is utilized for transportation of building materials and tools of the trade; and bearing the Business Name and address of the commercial business displayed on the vehicle.

Article II: 85-11: Truck and Trailer Prohibitions and Exclusions: Amend to read as follows:

No person shall park a truck of 12,500 lbs. GVWR or trailer in any of the off street municipal parking areas without obtaining a permit for the overnight lot parking.

Article III – 85-12: Truck Exclusions Amend title as follows:

1. No Trucks over 12,500 lbs. GVWR shall park on any public street within the Borough of Washington for longer than 2 hours.

2. Trucks over 12,500 lbs. GVWR are hereby excluded from all streets within the Borough of Washington except for the pickup and delivery of materials on such streets; except on so designated Truck Routes in Schedule VI of this chapter.
3. No Recreational Vehicles shall be parked on any public street within the Borough of Washington for more than 2 hours.
4. No trailers shall be parked on any public street within the Borough of Washington for more than 2 hours.
5. Construction vehicle trailers are hereby exempted from no parking on any street prohibition provided a permit for overnight parking is obtained from the Borough Manager or his designee.
6. Tractor Trailers are prohibited from parking in municipal lots unless permit is obtained from the Borough Manager or his designee.

Article VIII: Schedules

85-23 Schedule 1: No parking: Amend as follows:

Change: Allegar Street both sides from Broad Street to Gibson's Gym Free Parking Lot.

Change: Cornish Street no parking north side; no parking south side from the corner of Cornish Street and South Lincoln Avenue to a point 130 feet southwesterly therefrom.

Add: Fillmore Street South Side from McKinley to Prosper Way.

Add: State Street south side from Grand Avenue to North Lincoln Avenue.

Change: Flower Avenue to both sides from Rt. 57 to a point 210 feet northerly therefrom.

Add: South Prospect either side From Rt. 57 to West Marble Street.

Add: Hann Street both sides entire length.

Change: Jackson Avenue west side street parking.

Add: North Jackson Avenue Ave west side.

Add: South Jackson both sides entire length.

Add: Jefferson Both sides entire length

Change Lower Park Drive South side only from Park Entrance Road to Route 31.

Add: Pohatcong Avenue both sides entire length.

Add: Vanatta Street east side.

Parking Allowed:

Add: The addition of 3 parking spaces East Side of North Prospect Street between the Washington Arms Apartments and the Emergency Exit at the Warren Hills Middle School

Article VIII: 85-26, Schedule IV: Time Limit parking Certain Hours – Amend as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Maximum Time (minimum)</u>	<u>Location</u>
East Washington Avenue	Both	8:00 a.m. to 6:00 p.m.	120	From Belvidere Avenue and Broad Street to Jackson Avenue, excepting that portion between a point 35 feet west of the westerly curb line of School Street and a point 86 feet west of the westerly curb line of School Street.
East Washington Avenue	North	6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. Monday through Friday	15	Beginning at a point 35 feet west of the westerly curb line of School Street and a point 86 feet west of the westerly curb line of School Street.

Add: North Prospect no parking for vehicles above 12,500 lbs. GVWR.

In accordance with the provisions of Chapter 85, Article II, Subsection II, no person shall park a vehicle for longer than two hours in any off street and Municipal Parking lots unless an overnight parking permit has been obtained from the Municipal Clerk's Office. In addition, no person shall park a vehicle at any time in any alley.

In addition to all other fines and penalties, a vehicle parked in violation of this section shall be subject to towing cost of which shall be paid for by the owner or the operator of the vehicle before such vehicle shall be released. All persons parking pursuant to parking permit shall comply with all applicable parking and traffic rules and regulations. It shall be in violation of this section to photocopy otherwise reproduce or in any way create a facsimile or counterfeit permit. It shall be a violation hereof to display or otherwise use a permit known to be counterfeit.

It shall be a violation hereof to furnish false information or fraudulent documents in connection with an application for a permit. Any person violating the provisions hereof shall be subject to a fine not to exceed \$500 and or imprisonment for not more than 10 days.

Article VIII 85-29 Schedule VII One Way Streets

Amend as follows:

Delete North Jackson Ave

Delete unnamed alley off North Lincoln Avenue South of Warren Hills Middle School

Article IX. Snow Emergencies

85-40 Parking restrictions during snow removal periods.

Amend as follows:

Whenever snow has fallen and the accumulation is such that it covers the streets or highways or thoroughfares, an emergency shall exist and no vehicle shall be parked on the streets or highways of Washington Borough. The above parking prohibition shall remain in effect until after the snow has ceased and the streets or highways or thoroughfares have been plowed and/or treated sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

84-41 Removal and Impoundment of Vehicles.

Amend as follows:

The Police Department serving the Borough of Washington and the Code Enforcement Officer (replaces the Borough of Washington Police Department)

Article X Speed Limits 85-43

Add Lenape Trail Speed Limit 15mph (entire length)

Article XIV 85-59 Municipal Parking Lots

C other lots

(1).

- (a). Delete
- (b). Delete
- (c). Delete
- (d). Change from East Church Plaza to Star Plaza

- (f). Change from North Central Plaza to Pocket Park Plaza
- (e). Delete

(3). Broad Street Plaza, located on the west side of Broad Street, south of the former Public Library building shall be designated two (2) hour parking only between the hours of 8:00 a.m. and 6:00 p.m.

D. Change from Theater Plaza to Theater/Methodist Church Plaza

Add: Church parking on Sunday between 7:00 a.m. and 2:00 p.m.

Add: Parking spaces located in the Borough Hall parking lot shall be designated as follows:

Those twelve (12) parking spaces beginning at a point in the northeast corner of the Borough Hall parking lot and continuing 122 feet southeasterly therefrom shall be restricted to employees of the Borough of Washington only between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding official Borough recognized holidays.

Those five (5) parking spaces beginning at a point in the southeast corner of the Borough Hall parking lot and continuing 53 feet northwesterly therefrom shall be restricted to individuals conducting business with the Borough of Washington.

Those six (6) parking spaces beginning in the northwest corner of the Borough Hall parking lot and continuing 63 feet southeasterly therefrom shall be restricted to members of the Washington Fire Department in accordance with their official duties.

Those three (3) parking spaces beginning from a point 63 feet southeast of the northwest corner of the Borough Hall parking lot and continuing 40 feet southeasterly therefrom shall be designated as handicapped parking.

Those four (4) spaces beginning from a point 103 feet southeast of the northwest corner of the Borough Hall parking lot and continuing 47 feet southeasterly therefrom shall be restricted to fifteen (15) minute parking between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding official Borough recognized holidays.

Vehicles parked in violation of these regulations or vehicles outside of official parking spaces delineated by the Borough of Washington will be subject to ticketing and or towing in accordance with § 85-63 and § 85-64 of the code of the Borough of Washington.

Article XIV: 85- 68 Enforcing Agency:

Change to Police Department serving the Borough of Washington

Add: and by the Code Enforcement Officer and Crossing Guards so authorized by the Borough of Washington to enforce State, county or municipal statutes, resolutions, ordinances or

regulations related to the parking of vehicles within the municipality in accordance with the provisions of **N.J.S.A. 40A:9-154.7** et seq.

Article XVI: On Street Parking for Handicapped

Handicapped parking.

A. Resident handicapped on-street parking.

(1) Purpose:

The purpose of this section is to establish a restricted parking zone, by ordinance or resolution, in front of a residence occupied by a handicapped person, which person has been issued a windshield placard or wheelchair symbol license plates for the vehicle owned by the handicapped person by the New Jersey Motor Vehicle Commission or Division of Motor Vehicles pursuant to applicable law.

(2) Statutory authority:

This chapter is enacted in accordance with N.J.S.A. 39:4-197.6, which does confer upon the Borough a right to establish resident handicapped on-street parking in order to preserve and safeguard the public health, safety and welfare.

(3) Criteria:

(a) The person requesting on-street resident handicapped parking is a resident of the Borough of Washington who shall make application to the Borough of Washington. The application shall be reviewed, and approved or denied, by the Borough Manager. A negative determination may be appealed to the Borough Council if a request from the resident aggrieved is received within 20 days from the date of the declination.

(b) The person requesting on-street resident handicapped parking has been issued a wheelchair symbol license plate or windshield placard issued by the New Jersey Motor Vehicle Commission which is properly displayed in either the handicapped resident's vehicle or the vehicle of an immediate family member who also resides at that location. The person requesting on-street parking does not have adequate off-street parking on his/her property.

(c) The subject property passes an on-site inspection by the Department of Public Works, which inspection shall determine whether handicapped parking will interfere with the normal flow of traffic or whether there is immediate adjacent off-street parking available to the applicant.

(d) The applicant complies with the provisions of N.J.S.A. 39:4-138(o) and 39:4-197.6, regulating handicapped parking in designated spaces.

(e) Upon approval of an applicant's request for resident handicapped on-street parking, the Borough will enact an appropriate resolution designating the name of the subject street, the side of that street where the resident resides, and a description of the allowed parking area in front of

the subject residence. Such designation shall be within the property lines of the subject residence but otherwise shall be subject to the discretion of the Borough Council or its designee.

(4) Violations and penalties. Any person improperly parking in a properly designated resident handicapped resident parking space shall be subject to the penalties under N.J.S.A. 39:4-203 and 39:4-207.7, or shall be subject to a fine and court costs not to exceed the maximum established by statute.

(5) In accordance with the provisions of N.J.S.A. 39:4-197.6, a list of on-street locations designated as handicapped parking spaces in front of private residences occupied by handicapped persons shall be maintained in the office of the Borough Manager and be made available for public inspection upon request. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. No other person shall be permitted in these spaces.

Add:

Article XVII: Delineated On Street Parking on One Way Streets

(1) Purpose:

Where deemed necessary, the Borough shall, after conducting a survey of the street in conjunction with the Borough Manager, the Public Works Superintendent, and the Chief of Police, delineate parking spaces for the purposes of ensuring orderly parking of vehicles. Such parking spaces shall be delineated by white lines extending eight (8) feet from the curblane toward the centerline of the street. Parking spaces shall be at least nineteen (19) feet in length but not more than twenty-two (22) feet in length.

(2) Schedule of Delineated Parking Streets:

School Street – West side; NJ Route 57 to East Church Street.

(3) Violations and Penalties:

Vehicles parked outside of official parking spaces delineated by the Borough of Washington on any street listed in the schedule of delineated parking streets herein will be subject to ticketing and or towing in accordance with § 85-63 and § 85-64 of the code of the Borough of Washington.

RESOLUTIONS

Motion made by Heinrich and seconded by Noone to approve Resolution 2017-184.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 7, Nays: 0

Motion carried.

RESOLUTION 2017-184
A RESOLUTION TO REFUND MARRIAGE APPLICATION FEE

WHEREAS, Michael Anderson and Lindsay Stenberg (Applicants) applied for and paid for a marriage license application with the Clerk's Office in the amount of \$28.00 dollars; and

WHEREAS, the applicants unknowingly applied in the wrong municipality.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Treasurer to refund the amount of \$28.00 dollars payable to:

Michael Anderson
117 Forge Hill Rd.
Washington, NJ 07882

Motion made by Heinrich and seconded by Noone to approve Resolution 2017-185.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2017-185
A RESOLUTION AUTHORIZING THE RELEASE OF CASH BOND POSTED BY
SCHAIBLE'S PLUMBING & HEATING INC. FOR AN EMERGENCY REPAIR OF A
SEWER LATERAL AT 16 SUNRISE TERRACE
HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Claus Holmgaard, Service Manager, of Schaible's Plumbing & Heating Inc. has requested the cash bond posted 07/29/2016 in the amount of \$1,000.00 be released; and

WHEREAS, Kevin M. Smith, P.E., P.P., C.M.E., Borough Engineer submitted a letter dated August 16, 2017, stating that pavement restoration work remains in good condition and recommends the Maintenance Guarantee be released (attached hereto).

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to PNC Bank in the amount of \$1000.00.

Motion made by Jones and seconded by Noone to approve Resolutions 2017-186 and 2017-187.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2017-186
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$669.06 for taxes or other municipal liens assessed for the year 2015 in the name of Ramos, Jessica & Cabrera, Angela as supposed owners, and in said assessment and sale were described as 100 Park Ave., Block 79 Lot 5, which sale was evidenced by Certificate #16-00053; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8-22-17 and before the right to redeem was cut off, as provided by law, Wells Fargo claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,538.23 which is the amount necessary to redeem Tax Sale Certificate #16-00053.

NOW THEREFORE BE IT RESOLVED, on this 5th day of September 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,738.23** (This amount consists of \$1,538.23 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 79 Lot 5 from the tax office records.

RESOLUTION 2017-187
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$335.84 for taxes or other municipal liens assessed for the year 2015 in the name of Okoronkwo, Ikenna & Weber, Jessie R. as supposed owners, and in said assessment and sale were described as 64 Alvin Sloan Ave., Block 2.12 Lot 19, which sale was evidenced by certificate #16-00005; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8-22-17 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,198.31 which is the amount necessary to redeem Tax Sale Certificate #16-00005.

NOW THEREFORE BE IT RESOLVED, on this 5th day of September 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$2,398.31** (This consists of \$1,198.31 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.12 Lot 19 from the tax office records.

Motion made by Jones and seconded by Thompson to approve Resolution 2017-188.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2017-188

RESOLUTION TO RENEW THE FUND (STATEWIDE INSURANCE FUND)

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (FUND) , a joint insurance fund, as permitted by NJSA 40A;10-36 et seq.; and

WHEREAS, the Borough of Washington has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restriction and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the Governing Body has determined that membership in the FUND is in the best interest of the Borough of Washington.

WHEREAS, Washington Brough agrees to be a member of the FUND for a period of three (3) years, effective from January 1, 2018 terminating on January 1,2021 at 12:01 a.m. Standard time; and

WHEREAS, the Borough of Washington has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW THEREFORE BE IT RESOLVED, that the Borough of Washington does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED, that to the extent required by law, the Borough of Washington shall provide notice of Indemnity and Trust Agreement to the Office of State Comptroller; and

BE IT FURTHER RESOLVED, that the Borough of Washington will be afforded the following coverage (s):

Workers Compensation & Employers Liability

Comprehensive General Liability

Automobile Liability and Physical Damage

Public Officials and Employment Practices Liability

Pollution Liability

Property

Inland Marine Boiler and Machinery

Crime-Faithful Performance and Fidelity

Cyber Liability

Non-Owned Aircraft

BE IT FURTHER RESOLVED, that Matthew Hall is hereby appointed as the Borough of Washington's Fund Commissioner and is authorized to execute the application for membership and accompanying certification on behalf of the Borough; and Natasha Turchan is hereby appointed as the Borough's Alternate Fund Commissioner.

BE IT FURTHER RESOLVED, that the Borough of Washington's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's BYLAWS and to deliver same to the Administration of the FUND with the express reservation that said documents shall become effective only upon the Borough of Washington's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Motion made by Klimko and seconded by Valle to approve Resolution 2017-189.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 5, Nays: 0

Abstain: 2 (Higgins & Thompson)

Motion carried.

RESOLUTION 2017-189

**A RESOLUTION TO REFUND OVERPAYMENT OF 1ST QUARTER 2017
REAL ESTATE TAXES DUE TO EXEMPT STATUS**

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$419.92 on 1st Quarter 2017 Taxes due to a Tax Payment from Charles F. Wian being applied on property located at 39D Washington Square Circle, also known as Block 73.01 Lot 48 and assessed in the name of Wian, Charles; and

WHEREAS, the property owner has qualified for Exempt Veteran Status in the year 2017 as of December 29, 2016, which has created the overpayment; and

WHEREAS, the Tax Collector has received a written request from Charles Wian for a refund; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector to refund the amount of \$419.92 payable to: Charles Wian, 39D Washington Square Circle, Washington, NJ 07882.

Motion made by Klimko and seconded by Valle to approve Resolution 2017-190.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Ayes: 5, Nays: 0
Abstain: 2 (Higgins & Thompson)
Motion carried.

RESOLUTION 2017-190
A RESOLUTION TO REFUND OVERPAYMENT OF 2nd QUARTER 2017
REAL ESTATE TAXES DUE TO EXEMPT STATUS

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,989.18 on 2nd Quarter 2017 Taxes due to a tax payment from Corelogic Tax Service being applied on property located at 39D Washington Square Circle, also known as Block 73.01 Lot 48 and assessed in the name of Wian, Charles; and

WHEREAS, the property owner has qualified for Exempt Veteran Status in the year 2017 as of December 29, 2016, which has created the overpayment; and

WHEREAS, the Tax Collector has received a written request from Corelogic Tax Service for a refund; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector to refund the amount of \$1,989.18 payable to: Corelogic, PO Box 9202, Coppell, Texas 75019-9978.

Motion made by Klimko and seconded by Valle to approve Resolution 2017-191.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2017-191
BOROUGH OF WASHINGTON
COUNTY OF WARREN
RESOLUTION APPOINTING
REGISTERED MUNICIPAL CLERK AND LOCAL REGISTRAR

WHEREAS, N.J.S.A. 40A:9-133 requires that every municipality shall have a municipal clerk appointed for a three-year term by the governing body; and

WHEREAS, N.J.S.A. 26:8-11, et. seq. requires the governing body shall also have a Local Registrar; and

WHEREAS, vacancies have occurred in these positions; and

WHEREAS, Laurie A. Barton has been certified as a Registered Municipal Clerk in accordance with the law of the State of New Jersey; and

WHEREAS, Laurie A. Barton was appointed as temporary Municipal Clerk by the Mayor and Council of the Borough of Washington on April 18, 2017; and

WHEREAS, N.J.S.A. 40A:9-133 provides for a Municipal Clerk to be appointed for a term of three (3) years;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that Laurie A. Barton, RMC/CMR be appointed Municipal Clerk for a term of three (3) years in accordance with N.J.S.A. 40A:9-133 with the appointment date made retroactive to April 18, 2017.

BE IT FURTHER RESOLVED that Laurie A. Barton, RMC/CMR will also carry out the duties of Local Registrar.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Local Government Services, Department of Community Affairs.

Motion made by Noone and seconded by Valle to approve Resolution 2017-192.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 7, Nays: 0

Motion carried.

RESOLUTION 2017-192
RESOLUTION TO JOIN
NEW JERSEY SUSTAINABLE ENERGY
JOINT MEETING

WHEREAS, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and

WHEREAS, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

WHEREAS, the governing body of the Borough of Washington has

determined that membership in the Joint Meeting is in the best interest of the Borough.

NOW THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Washington does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives;

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Matthew Hall is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and

BE IT FURTHER RESOLVED that the Mayor and/or Manager is authorized and directed to execute such other documents signifying their membership in the NJSEM,

Raffle License-RA-2017-2 Knights of Columbus

Motion made by Jones and seconded by Valle to approve Raffle License #RA 2017-2.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 7, Nays: 0

Motion carried.

Best Practice Check List was tabled to next regular meeting (September 19th)

VOUCHERS AND CLAIMS

Motion made by Heinrich seconded by Jones to pay the vouchers and claims in the amount of \$943,623.48 from the current fund and \$ 9,467.99 from sewer.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone Thompson and Valle

Ayes: 7, Nays: 0

Abstention: Thompson abstains from any
Fire and EMS bills.

Motion Carried.

RECAP

M. Hall recapped the following:

- Look for pocket park records.
- Follow up with Mid-Block contractor.
- Follow up with Best Practices list.

COUNCIL REMARKS

Councilwoman Klimko inquired about weeds in borough being addressed and the ramps for disabled near intersections being repaired, specifically on Belvidere Ave and by PNC Bank.

Garbage in front of Sal's pizza was addressed.

Councilwoman Valle discussed numerous feral cats in the borough.

Councilwoman Noone stated she was happy to see the new Farmers Insurance business open up in downtown, but stated she was sad for the chocolate shop to leave and Arcana is leaving to go to Easton, PA. Concerns of keeping businesses in the borough ensued.

Councilman Heinrich stated that this is the worst he's seen in the borough concerning the weeds and added that the downtown looks like Wild West City and doesn't want to see it look like that ever again.

Councilwoman Klimko expressed concerns over Felix leaving their door open, which there are conditions associated with the liquor licenses addressing the doors being kept shut.

Mayor Higgins thanked the Recreation Committee and Park Manager for their season, and added the pool is now closed.

Mayor Higgins inquired about plans for the theatre.

Mayor Higgins extended the Borough's appreciation to Washington Township Council and Police for hosting the Borough for the promotion of their police officers, one of which originally came from the Borough (Walter Koch).

Mayor Higgins stated he asked for a plan from the DPW on what they had planned and need and is still waiting to receive this. Councilman Jones questioned if they have enough of people in that department. Mayor Higgins responded once he receives this plan from DPW it should tell us if they need more employees.

Mayor Higgins recognized Tara St. Angelo in receiving recognition as a rising star in an article concerning local Attorneys.

Mayor Higgins officially welcomed Laurie Barton as the new Borough Clerk.

EXECUTIVE SESSION

A motion was made by Noone, seconded by Valle, to approve a Resolution Authorizing Executive Session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 8:11 pm, with a five-minute break.

Ayes: 7 Nays: 0
Motion Carried.

RESOLUTION **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____ A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public
(Provision relied upon: _____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____Investigations of violations or possible violations of the law;

 X Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: _____ The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

 X Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

A motion was made by Noone seconded by Jones, to come out of Executive Session at 9:55 pm.

Ayes: 7; Nays: 0
Motion Carried.

Motion made by Jones and seconded by Klimko to approve Resolution 2017-193.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.
Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2017-193
RESOLUTION APPOINTING MEMBERS TO THE
GREEN TEAM

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan, the Mayor of the Borough is to appoint the members of the Green Team for Washington Borough with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following persons as his appointee:

Greg Hudis
Katey Mills
Elizabeth Dowd
Robert Lorenski

WHEREAS, the Borough Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the above-named person is appointed to the Green Team.

NOW, THEREFORE, BE IT RESOLVED, that the above-named persons is appointed to the Green Team for a term ending **06/01/2019**.

Motion made by Jones to give Manager Hall a \$3,000.00 salary raise effective November 1st, motion seconded by Noone.

ROLL CALL: Heinrich, Higgins, Jones, Noone, Thompson.

Ayes: 5, Nays: 2 (Klimko & Valle)

Motion carried.

ADJOURNMENT

Hearing no further business, a motion was made by Noone, seconded by Valle, to adjourn the meeting at 10:00 pm.

Ayes: 7; Nays: 0

Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk